

MONDAY, OCTOBER 18, 1993 (118)**¶118.1 DESIGNATION OF SPEAKER PRO TEMPORE**

The House was called to order by the SPEAKER pro tempore, Mr. MONTGOMERY, who laid before the House the following communication:

WASHINGTON, DC,
October 18, 1993.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

¶118.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MONTGOMERY, announced he had examined and approved the Journal of the proceedings of Friday, October 15, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶118.3 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. NATCHER, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-300) on the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

**¶118.4 ORDER OF BUSINESS—
CONFERENCE REPORT ON H.R. 2750**

On motion of Mr. NATCHER, by unanimous consent,

Ordered, That, notwithstanding the provisions of clause (2) of rule XXVIII, it be in order at any time on Wednesday, October 20, 1993, or any day thereafter, to consider the conference report, amendments in disagreement, to the bill (H.R. 2750) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes; and that the conference report, amendments in disagreement, and motions printed in the joint explanatory statement of the committee of conference to dispose of amendments in disagreement be considered as read when called up for consideration.

**¶118.5 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE
PRESIDENT**

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House a communication, which was read as follows:

WASHINGTON, DC,
October 18, 1993.

Hon. THOMAS S. FOLEY,
*The Speaker, U.S. House of Representatives,
Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday,

October 15, 1993 at 4:08 p.m. and said to contain a message from the President wherein he reports under section 8(b) of the Fishermen's Protective Act (Pelly Amendment) concerning Panama.

With great respect, I am,
Sincerely yours,

DONNALD K. ANDERSON,
Clerk, House of Representatives.
(By) W. RAYMOND COLLEY,
Deputy Clerk.

¶118.6 YELLOWFIN TUNA—PANAMA

The Clerk then read the message from the President, as follows:

To the Congress of the United States:

Pursuant to section 8(b) of the Fishermen's Protective Act of 1967, as amended (22 U.S.C. 1978(b)), generally known as the Pelly Amendment, I am notifying you that on August 18, 1993, in accordance with section 101(a) of the Marine Mammal Protection Act (MMPA), the Secretary of Commerce certified to me that a ban on the importation of yellowfin tuna and yellowfin tuna products from Panama has been in effect since December 22, 1992. This ban is the result of a finding by the Assistant Administrator for Fisheries, National Marine Fisheries Service, that Panama's marine mammal program was not comparable to that of the United States, as required by the MMPA.

By the terms of the MMPA, such certification is deemed to be a certification for the purposes of the Pelly Amendment, which requires that I consider and, at my discretion, order the prohibition of imports into the United States of any products from the certified country to the extent that such prohibition is sanctioned by the General Agreement on Tariffs and Trade. The Pelly Amendment also requires that I report to the Congress any actions taken under this subsection and, if no import prohibitions have been ordered, the reasons for this action.

After thorough review, I have determined that additional sanctions against Panama will not be imposed at this time. The Government of Panama is currently engaged in developing a marine mammal program that is comparable to that of the United States. The results of these efforts should be evident in an anticipated annual report and request for a finding of comparability for 1994 from Panama.

WILLIAM J. CLINTON,
THE WHITE HOUSE, October 15, 1993.

By unanimous consent, the message was referred to the Committee on Merchant Marine and Fisheries and ordered to be printed (H. Doc. 103-151).

¶118.7 ARKANSAS BEACH DESIGNATION

Mr. VENTO moved to suspend the rules and pass the joint resolution of the Senate (S.J. Res. 78) designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, Alaska as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during

the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. VENTO and Mr. CALVERT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said joint resolution?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶118.8 RED RIVER DESIGNATION

Mr. VENTO moved to suspend the rules and pass the bill (H.R. 914) to amend the Wild and Scenic Rivers Act to designate certain segments of the Red River in Kentucky as components of the national wild and scenic rivers system, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. VENTO and Mr. CALVERT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

**¶118.9 INTERNATIONAL RESCUE
COMMITTEE**

Mr. LANTOS moved to suspend the rules and agree to the following concurrent resolution of the Senate (S. Con. Res. 47):

Whereas the International Rescue Committee, which this year is marking the sixtieth anniversary of its founding, is a beacon of hope for the world's refugees, displaced by war, civil insurrection, ethnic conflict, political and religious persecution and famine;

Whereas in crisis after crisis—in Europe, Central America, Africa, and Asia—the field staff of the International Rescue Committee is often the first relief support on site to ease the suffering of refugees by stabilizing health conditions with critically needed sanitation, health care, and medical assistance;

Whereas the programs of the International Rescue Committee are also concerned with

improving the quality of life for refugees by preparing them for a productive future through educating children and building new skills among adults;

Whereas often and whenever possible, programs implemented by the International Rescue Committee are ultimately turned over to the refugees themselves after they have been well trained by International Rescue Committee staff and volunteers;

Whereas the International Rescue Committee was founded in 1933 as a nonsectarian response to the increasing horrors of Nazi Germany;

Whereas as the need for humanitarian assistance expanded, so has the International Rescue Committee's commitment to refugees;

Whereas throughout the world, from Bosnia to Somalia, from Cambodia to El Salvador, the International Rescue Committee continues to aid refugees with medical assistance, shelter, food, and skills-training;

Whereas the International Rescue Committee also helps in repatriation or resettlement to assist refugees in starting their life anew;

Whereas in its sixty years of service, the International Rescue Committee has not only provided for victims of brutality and for those suffering from natural disasters with services essential for survival and the means to rebuild their lives, but also has given them reason to have renewed optimism in the compassion and goodwill of their fellow human beings; and

Whereas October 15, 1993, the sixtieth anniversary of the founding of the International Rescue Committee, is an appropriate day on which to give recognition to the International Rescue Committee for its great humanitarian endeavors: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the sixtieth anniversary of the founding of the International Rescue Committee, the Congress hereby recognizes the International Rescue Committee for its great humanitarian endeavors.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. LANTOS and Mr. BEREUTER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶118.10 200TH ANNIVERSARY OF THE U.S. CAPITOL

Ms. NORTON moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 146):

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL BUILDING AND GROUNDS.

The Commission on the bicentennial of the United States Capitol (hereinafter in this resolution referred to as the "Commission")

may use the Capitol building and grounds on October 23, 1993, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may jointly designate, for events to commemorate the 200th anniversary of the laying of the cornerstone of the Capitol.

SEC. 2. TERMS AND CONDITIONS.

The events referred to in section 1 shall be free of admission charge to the public and arranged under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the Commission is authorized to erect upon the Capitol grounds such stages, sound amplification devices, and other related structures and equipment as may be required for the events referred to in section 1.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements, including the use of voluntary and uncompensated staff and services, as may be required to carry out the events referred to in section 1.

(c) REPRESENTATIONS.—The Architect of the Capitol shall take such actions as may be necessary to ensure that sponsors of the events referred to in section 1 do not make representations that such sponsorship in any way constitutes an endorsement by the Federal Government.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Ms. NORTON and Mr. PETRI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶118.11 SUBPOENA

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House a communication, which was read as follows:

NON-LEGISLATIVE AND FINANCIAL SERVICES,

Washington, DC, October 14, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Office of Finance has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

LEONARD P. WISHART III,

Director.

¶118.12 SUBPOENA

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House a communication, which was read as follows:

COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, October 14, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L of the Rules of the House that the Committee on House Administration has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,

CHARLIE ROSE,
Chairman.

¶118.13 SUBPOENA

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 14, 1993.

Hon. THOMAS FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the Municipal Court of the City of Fort Smith, Arkansas.

After consultation with the General Counsel, I will notify you of my determinations as required by the Rule.

Sincerely,

TIM HUTCHINSON,
Member of Congress.

And then,

¶118.14 ADJOURNMENT

On motion of Ms. NORTON, pursuant to the special order agreed to on October 15, 1993, at 12 o'clock and 50 minutes p.m., the House adjourned until 11 o'clock a.m. on Tuesday, October 19, 1993.

¶118.15 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARR: Committee of Conference. Conference report on H.R. 2750. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. No. 103-300). Ordered to be printed.

¶118.16 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 58: Mr. FIELDS of Texas.
H.R. 467: Mr. SERRANO and Mr. NADLER.
H.R. 1277: Mr. PETERSON of Minnesota.
H.R. 1517: Miss COLLINS of Michigan.
H.R. 2488: Mr. BARRETT of Wisconsin.
H.R. 2662: Mr. LEWIS of Georgia, Mr. DELUMS, Mr. HALL of Texas, Mr. SCHIFF, Mr. LIGHTFOOT, and Ms. ROYBAL-ALLARD.
H.R. 2884: Ms. NORTON.

H.R. 2898: Mr. FALEOMAVAEGA.

H.R. 3005: Mr. BALLENGER.

H.R. 3250: Mr. TORKILDSEN, Mr. EMERSON, Mr. BLUTE, Mr. PETE GEREN of Texas, and Mr. BOEHNER.

H.J. Res. 79: Mr. BAKER of California, Mr. BISHOP, Mr. BLUTE, Mr. BOEHLERT, and Mr. BONIOR.

H.J. Res. 274: Mr. FILNER and Mrs. MORELLA.

TUESDAY, OCTOBER 19, 1993 (119)

The House was called to order by the SPEAKER.

¶119.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, October 18, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶119.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2026. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize a retroactive waiver of the survivability testing procedures that apply to the F-22 program; to the Committee on Armed Services.

2027. A letter from the Board of Directors, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of the Philippines, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

2028. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-121, "Real Property Tax Rates for Tax Year 1994 and Real Property Tax Classification Amendment Act of 1993," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2029. A letter from the Secretary, Council of the District of Columbia, transmitting a copy of the surveyor's plat to accompany Council Resolution 10-91, "Transfer of jurisdiction over Children's Island, S.O. 92-252, Resolution of 1993"; to the Committee on the District of Columbia.

2030. A letter from the Acting Assistant Secretary of Education, transmitting Notice of Final Funding Priority—Program for Children and Youth with Serious Emotional Disturbance, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2031. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Department of the Air Force's proposed lease of defense articles to the Coordination Council for North American Affairs (Transmittal No. 03-94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2032. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Ballistic Missile Defense Organization's proposed lease of defense articles to the Coordination Council for North American Affairs (Transmittal No. 02-94), pursuant to 22 U.S.C. 2796a(a); to the Committee on Foreign Affairs.

2033. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting President Clinton's determination that the Board of the International Fund is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland, and that disbursements from the International Fund are distributed in accordance with the principle

of equality of opportunity and non-discrimination in employment, without regard to religious affiliation, and will address the needs of both communities in Northern Ireland, pursuant to Public Law 99-415, section 5(c) (100 Stat. 948); to the Committee on Foreign Affairs.

2034. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending 30 September 1993, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

2035. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the report of political contributions by Nicholas Andrew Rey, of New York, to be Ambassador to the Republic of Poland, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2036. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1998 resulting from passage of H.R. 38, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

2037. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting a report on proposed refunds in excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2038. A letter from the Acting Assistant Secretary (Civil Works), Department of the Army, transmitting the 2d priority project list report prepared by the Louisiana Coastal Wetlands Conservation and Restoration Task Force, pursuant to Public Law 101-646, section 303(a)(3) (104 Stat. 4779); to the Committee on Merchant Marine and Fisheries.

2039. A letter from the Secretary of Transportation, transmitting the Department's report on "Buoy Chain Procurement Practices"; to the Committee on Merchant Marine and Fisheries.

2040. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report, entitled "Whistleblowing in the Federal Government: An Update," pursuant to 5 U.S.C. 1205(a)(3); to the Committee on Post Office and Civil Service.

2041. A letter from the Administrator, Environmental Protection Agency, transmitting a draft of proposed legislation entitled "U.S. Colonias Water Pollution Control Act"; to the Committee on Public Works and Transportation.

2042. A letter from the Comptroller, Department of Defense, transmitting notification that DOD intends to sign agreements with a value up to \$70 million to assist the Republic of Kazakhstan in activities related to the elimination of strategic offensive arms, pursuant to Public Law 102-396, section 9110(a) (106 Stat. 1928); jointly, to the Committees on Armed Services and Foreign Affairs.

2043. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a report on the transfer of property to the Republic of Panama under the Panama Canal Treaty of 1977 and related agreements, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

2044. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93-45: POW/MIA Military Drawdown for Laos; jointly, to the Committees on Foreign Affairs and Appropriations.

¶119.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced

that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 160. Concurrent resolution to correct the enrollment of H.R. 3123.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2446) "An Act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.", and that the Senate agreed to the amendments of the House of Representatives to the amendments of the Senate numbered 1, 4, 6, 7, 9, 11, 13, 17, 20, 23, 24, 25, 26, 27, 28, 29, 38, 40, and 42, to the above-entitled bill.

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2518) "An Act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1994, and for other purposes.", and that the Senate agreed to the amendments of the House to the amendments of the Senate numbered 6, 11, 15, 23, 24, 34, 41, 49, 54, 57, 58, 65, 68, 69, 74, 92, 104, 108, 111, 117, 123, 124, 129, and 133, to the above-entitled bill.

¶119.4 HOUSE PAGE BOARD

The SPEAKER, pursuant to section 127 of Public Law 97-377, appointed to the House of Representatives Page Board: Messrs. KILDEE and TOWNS.

¶119.5 STUDENT FINANCIAL ASSISTANCE ADVISORY COMMITTEE

The SPEAKER, pursuant to the provisions of section 491 of the Higher Education Act, as amended by section 407 of Public Law 99-498, appointed to the Advisory Committee on Student Financial Assistance, Mr. Thomas A. Butts of Ann Arbor, Michigan, from private life, on the part of the House, to fill the existing vacancy thereon.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶119.6 RECORDS OF CONGRESS ADVISORY COMMITTEE

The SPEAKER, pursuant to the provisions of section 2702 of 44 United States Code, as amended by Public Law 101-509, appointed to the Advisory Committee on the Records of Congress, Mr. Richard F. Fenno, Jr., of Rochester, New York, from private life, on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶119.7 MARTIN LUTHER KING, JR., FEDERAL HOLIDAY COMMISSION

The SPEAKER, pursuant to the provisions of section 4(a) of Public Law 98-399, as amended by Public Law 101-30, reappointed to the Martin Luther King, Jr., Federal Holiday Commission, Messrs. WHEAT, SAWYER, REGULA, and